

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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|--------------------------|---|------------------------------------|
| KEVIN FERNANDEZ, |) | 3:10-CV-0373-LRH (VPC) |
| |) | |
| Plaintiff, |) | <u>MINUTES OF THE COURT</u> |
| |) | |
| vs. |) | June 27, 2013 |
| |) | |
| STATE OF NEVADA, et al., |) | |
| |) | |
| Defendants. |) | |
| _____ |) | |

PRESENT: THE HONORABLE VALERIE P. COOKE, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: LISA MANN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

A notation was made on the docket sheet that the Deputy Attorney General assigned to this case called the Clerk's Office on May 15, 2013. The Deputy Attorney General is advised not to call and ask for legal advice from the Clerk.

Plaintiff filed an amended complaint (#55) prior to the time the defendants filed an answer. Plaintiff has a right to amend his complaint once as a matter of course prior to a responsive pleading being filed pursuant to Fed.R.Civ.P. 15. The amended complaint shall be **DETACHED** and **FILED** and shall be properly screened pursuant to 28 U.S.C. § 1915. Plaintiff's motion for court to issue and serve summons on new defendants (#55) is **DENIED without prejudice** as premature.

Defendants motion to extend time to file a responsive pleading (#61) is **GRANTED**. Briefing shall be **STAYED** on defendants' motion for partial dismissal (#63) until after the court has screened plaintiff's amended complaint. Alternatively, defendants may choose to withdraw their motion for partial dismissal without prejudice and with leave to refile after the amended complaint is screened.

IT IS SO ORDERED.

LANCE S. WILSON, CLERK

By: /s/
Deputy Clerk